IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 19TH DECEMBER 2007 / 28TH AGRAHAYANA 1929

Crl.Rev.Pet.No. 4606 of 2007()

CRA.493/2004 of ADDL.SESSIONS JUDGE (FAST TRACK ADHOC-I) COURT, MANJERI
CC.1394/2001 of JUDL. MAGISTRATE OF FIRST CLASS, MALAPPURAM

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REVN. PETITIONER: REVISION PETITIONERS/APPELLANT/ACCUSED

JUSTIN SCARIYA, S/O SCARIYA JOSEPH,
CHANGANKERIL HOUSE, CHEERANCHIRA POST,
CHANGANASERY.

BY ADV. SRI.VINOD VALLIKAPPAN

RESPONDENTS: RESPONDENTS/COMPLAINANT/STATE

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1. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

2. JOSEPH U.P., S/O VARGHESE PHILIPOSE,
HAMZA QUARTERS, CHERUR POST,
VENGARA, MALAPPURAM.

BY PUBLIC PROSECUTOR SRI.K.S. SIVAKUMAR
SRI.K.R.SAJITH

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 19/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No. 4606 of 2007

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Dated: 19-12-2007

ORDER

The accused in C.C. No. 1394 of 2001 on th**e file** of the J.F.C.M., Malappuram for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 13511 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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